

CUNARD ALMOST SINKS OFF IRISH COAST

DAN O'REILLY'S FATE IN HANDS OF JURY

WEATHER—Showers to-night; warmer.

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RACE RESULTS AND ENTRIES

SEE PAGE 2

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The

"Circulation Books Open to All."



The World.

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FINAL EDITION

FINDS BURGLAR HANGING DEAD FROM SKYLIGHT

Harlem Woman Returns Home to Discover Thief Caught in Death Trap.

FAMILY OUT OF TOWN.

Housebreaker Slowly Choked to Death as Trapdoor Closed on Neck.

Some time within the last three weeks a burglar undertook to break into the residence of Elias Surut at No. 138 West One Hundred and Twenty-first street. A skylight dropped on his neck as he climbed down through the roof and there he dangled, choking by inches while the sharp edge of the mantrap slowly cut off his breath and saved into his flesh. The body was found late this afternoon, still hanging.

Mr. Surut is a wealthy wholesale western merchant at No. 27 Greene street. May 4 he closed his town house, which is a four-story building of brick, and took his family to their cottage at Arverne for the summer.

Woman Visited House.

To-day Mrs. Surut came back to the city on a shopping trip. She decided to visit the home to see if everything was in order. She carried a key which admitted her through the front door.

Once inside she was struck by the fact that there seemed to be less camphor strewn upon the rugs and carpets than should be there if the mother were to be kept away. She knew where there was a bag of camphor in a pantry, and she got it and started through the house, crumpling the stuff and sprinkling it as she went.

She advanced thus from the first floor to the second and so on to the attic. She was on the point of entering a small room on the top floor when she saw something which sent her hurrying downstairs as fast as she could go.

Her presence of mind holding good, Mrs. Surut called up Police Headquarters. Patrolman Horn was started from the West One Hundred and Twenty-first street station to the Surut home. On the way he met Miller, the policeman on post, and together the men entered and, directed by Mrs. Surut, made their way to the small room up under the roof.

Handing for Days.

A man's body—visible all except the head—swung from the partly opened skylight. He had been there for days and perhaps weeks. The head was outside with the chin resting flat upon the roof. The neck was squeezed and gashed until decapitation had almost resulted.

There was a rope tied about the dead thief's middle and the other end of it being fast to a chimney outside. One of his hands clutched the rope. The fingers of the other were gripped on the coping of the scuttle.

The story of the tragedy was plain. Evidently the thief had forced the heavy skylight and had started to lower himself through the opening. At the instant when he was disappearing within the heavy glass-capped lid had slipped and dropped, nipping him as a rabbit is nipped in a "figure 4" trap.

He had struggled hard. It was plain, diving slowly up there, alone. His feet had kicked a square foot of plaster off the wall; his clawing fingers had scratched deep into the painted wood-work.

The policemen took down the corpse and stood guard over it until Coroner Penberg came. The burglar was a small man about thirty-five years old and roughly dressed. He wore dark clothes and on his feet were rubber-soled sneakers, such as flat thieves wear. The first search of his pockets brought forth nothing which might help to identify him.

IT'S SNOWING.

Temperature Below Freezing After Big Storm in Manitoba.

WINNIPEG, May 24.—A twelve-hour downpour of rain in Southern Alberta turned to snow yesterday and snow fell fast, with the temperature just below freezing for twenty-four hours. It ceased snowing at midnight.

COURT CHARGES JURY AT THE TRIAL OF DAN O'REILLY

Justice Davis Gives Full Explanation of Law After Counsel Sums Up.

LEVY MAKES LONG PLEA.

Prosecutor Follows With a Bitter Attack Upon the Accused Lawyer.

Justice Davis in the Criminal Branch of the Supreme Court this afternoon charged the jury in the case of Lawyer Daniel O'Reilly, who is charged with receiving stolen property consisting of \$5,000 worth of securities which were taken from Aaron Hancock in the corridor of the Produce Exchange Safe Deposit vaults on March 2.

Before the judge's charge was delivered, Abraham Levy, counsel for O'Reilly, summed up the evidence for the defense, and Assistant District Attorney Buckner performed a similar office for the prosecution.

William M. Sullivan, attorney for the Hancock, and Frank J. Plass, the self-confessed go-between in the case, were in the crowd that filled the courtroom.

Levy Sums Up Case.

In beginning his address Mr. Levy said that he wanted to impress upon the jury the fact that the mantle of innocence hung over the shoulders of his client, and that an indictment, founded upon the ex parte testimony brought before it, did not even constitute a shadow of conviction.

"There is probably nothing in this life so humiliating," he said, "as the position occupied by this defendant—a lawyer who for years has lived up to the law of the land, who had been successful in his career and who now finds himself here in a Criminal Court as a defendant."

Mr. Levy complimented the judge and thanked him for the position which he had taken, and declared that it did not appear to him that the jury had anything to do with either the robbery or with the robbery.

Had Right to Be in the Case.

"At what stage does this defendant appear in this proceeding?" he asked, and then he sought to show that the appearance of the lawyer was at the moment when his position as lawyer justified it.

"Any suggestion," he added, "as to the nature of living of this defendant is extraneous. The question, and the only question, before you is, 'Is he guilty of the crime charged in this indictment?'"

Mr. Levy made a bitter attack upon the prosecution for the prosecution, and said that Sullivan had not been acquainted with the case, and suggested that the lawyer was trying to lead George S. Thompson into a trap as he charged that Sullivan had led O'Reilly.

Referring to Plass, Mr. Levy said that never in the thirty years of his practice in the Criminal Court had he known of the reform of a confirmed criminal. It was no more possible "than to paint white the hinges of the gates of hell."

The judge said that Inspector John H. Russell was more because O'Reilly had gone to the Pinkertons with the case instead of to the police. He closed his speech with this appeal:

"There is a wife and there are children waiting at home for this defendant; let me take him to them."

Assistant District Attorney Buckner closed the case for the prosecution. Mr. Buckner said that O'Reilly's conduct was a violation of the law and the ethics of his profession. The fact that he was a lawyer did not make him exempt from the operation of the law, urged the prosecutor.

FIFTH AV. THIEF IS IDENTIFIED BY FINGER PRINTS

Prisoner Caught After an Attack on Woman Is Austrian, With Criminal Record.

VICTIM IS BADLY HURT.

Doctor's Housekeeper Choked and Thrown Through Door by Suspect's "Pal."

Fateful finger prints taken in Vienna years ago and in New York to-day enabled Lieut. Faurot of the Police Department to identify a man who was arrested after a number of persons living near Fifth avenue and Thirty-third street had been thrown into excitement by a raid of vine-climbing burglars, one of whom attacked Miss Ida Roe, choked her and hurled her down a flight of stairs through a glass door.

After the latest of the Fifth avenue times last night Detectives Van Wagner and Kinney arrested a man who said that his name was "Frank Lang." To-day "Lang" was brought to the busy Mr. Faurot. Faurot got out his records, and by the curling lines of the right thumb found that "Lang" was Carl Ausverber, who is known to fame as No. 11,600 of those who, departing, left their finger prints behind.

Ausverber made his first digital impression in the criminal world in Vienna in 1904 when he was convicted of larceny. He repeated in the same city in 1905, when he got eighteen months for a burglary.

Victim Unable to Appear.

The finger identification made the capture of Ausverber a matter of police. Without it they had nothing on the man except his presence in the immediate neighborhood of the Fifth avenue robbery.

Ausverber was taken from Headquarters to Jefferson Market Police Court, where he was held for further examination tomorrow, as Miss Roe was unable to go to court to identify him, and Mrs. Eva M. Sedgwick, who first sounded the burglar alarm in the neighborhood, had not been reached by the detectives.

The burglars, it is believed, entered No. 9 East Thirty-third street, Mrs. Sedgwick's home, from the rear. They found an easy ingress through No. 15 Madison avenue, which is being remodeled, and slipped down the rear yard of the East Thirty-third street house. They were inside when Mr. Lucius Hill escorted Mrs. Sedgwick home from a dinner.

Mrs. Sedgwick lives on the second story and she found the front door of her apartment had been rammed. She and Mr. Hill went inside, however, and saw two men leaving by the rear window. They were in such a hurry that they left their things. Detective Kenney says they must have dropped from the window.

Alarm Rouses Neighborhood. Mrs. Sedgwick and Mr. Hill ran to the front windows and yelled with all their might. In a second or two the neighborhood was in an uproar, heads popping out of windows and people running up and down in front of the block on Thirty-third street.

Dr. E. Bryson Belavan lives at No. 1 East Thirty-third, but he was out of the city yesterday. His housekeeper, Miss Ida Roe, was reading in the middle room on the first floor. About the time that Mrs. Sedgwick and Mr. Hill were shouting their alarm she heard a noise in the dining room. She went in to investigate and saw two men climbing in the window. When one of them saw her he dropped back into the yard. This must have been Ausverber.

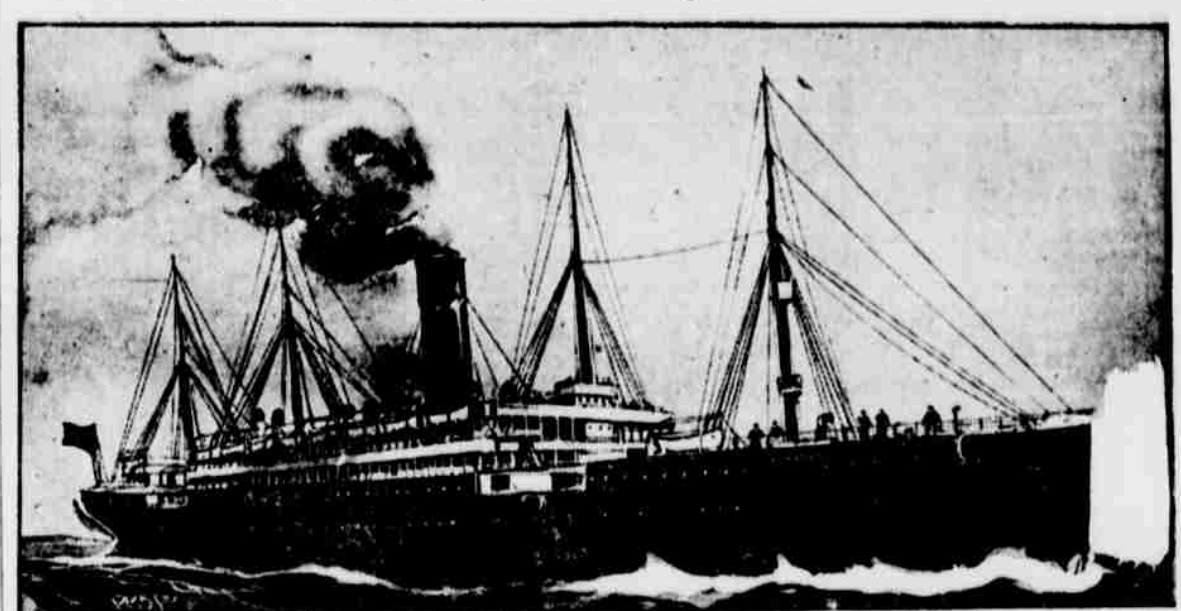
"What do you want here?" Miss Roe asked. "If you make a noise I'll kill you," said the man, and climbed into the room.

Miss Roe wailed ninety pounds, but she yelled with all the strength of her lungs. The man was a high collar with a white shirt in it. I fought the man all I could, but he dragged me out of the dining room and along the hall to the steps that lead to the basement and I was left alone.

"I know the only thing that saved me from being choked to death," she said to-day, "was a high collar with a white shirt in it. I fought the man all I could, but he dragged me out of the dining room and along the hall to the steps that lead to the basement and I was left alone."

(Continued on Second Page.)

Ivernia Which Struck Daunt's Rock But Is Now Safe in Queenstown Harbor



CARNEGIE SEES ONLY RAINBOWS IN FINANCIAL SKY

Off to Europe Till October and There's No Gloom in Sight for Him.

Andrew Carnegie called with his wife and daughter on the White Star liner Oceanic to-day. He will remain abroad until October, motoring, playing golf and training the dove of peace to coo a lot of new notes.

The Laird of Skibo was in effervescent spirits when he received the ship news reporters aboard the Oceanic and chatted with them about his health, his wealth and the financial affairs of the country.

When asked about the report that he had been exiled until October from testifying in the investigation of the Steel Trust he said:

"Oh, I guess I'm all right physically, morally and financially. I've got enough left to worry about for a few months, and if I should go broke before I return I know I could borrow enough from you boys to pay the stewards. You write great stories about me, you do, with the emphasis on the stories."

Asked what he thought of the appointment of Rhinelander Waldo as Police Commissioner, he replied:

"I have great faith in Mayor Gaynor. What he does is right."

Concerning the industrial affairs of the country Mr. Carnegie said that as far as he could see only rainbows were worth considering.

"Everything will come out beautifully," he said. "The finances of this country are in a perfectly healthy condition. There is no gloomy outlook ahead."

Mr. Carnegie has a high opinion of the United States Supreme Court's decision on Sunday. He considers it a splendid interpretation of the spirit of the law.

A score of friends visited the Oceanic to bid adieu to the Carnegie, among them John Barrett, chief of the Pan-American Bureau at Washington. When he caught sight of Mr. Barrett, who he said, Mr. Carnegie cried out:

"Oh, here comes my friend, Barrett, who parts his hair very wide in the middle."

Mayor DENIES B. R. T. STORY. Declares He Never Authorized Commissioner Martin to See Williams.

Mayor Gaynor denied to-day that he had authorized Bridge Commissioner, Kingsley Martin to call on President "Tim" Williams of the B. R. T. and induce the latter, on behalf of the Mayor, to consider a compromise plan of suspension.

PROMOTIONS WAIT UNTIL MAYOR CAN SEE THE CEREMONY

Within a Few Days, However, Lucky Policemen Will Get Advance in Rank.

Owing to the desire of Mayor Gaynor to be present when the promotions in the Police Department are made, Commissioner Waldo was compelled to postpone a big ceremony he had planned for this afternoon. The Mayor was too busy at the City Hall to go to Police Headquarters.

It had been Commissioner Waldo's desire to promote five captains to inspectors and raise the grades of nearly 100 minor officers. The plan was to have all the lucky policemen assembled at once to receive their preferment publicly and to listen to an address by the Mayor.

This plan will be carried out, however, on Monday. Commissioner Waldo so informed the 100 officers eligible for promotion who had assembled at Headquarters this afternoon.

These Men All in Line.

The twelve ranking lieutenants who, according to Mayor Gaynor's promise, are to be made captains are Edward J. Bourke, Alfred W. Thorpe, James Dunn, the veteran Central Office man, William E. Peabody, better known as Frank Peabody; Mathew McKee, Joseph Faurot, the finger print expert; Frank J. Conboy, George E. Wakefield, who went abroad after the police dog; Cornelius Cahillane, Henry Fohen, John E. Houlihan and John Leary.

Talking Over Candidates.

While he was at the City Hall to-day Commissioner Waldo called on the Mayor and talked with him at length. They discussed not only police matters, but the capabilities of the candidates for the position of Fire Commissioner.

Commissioner of Corrections Patrick Whitney is Tammany's candidate for the vacant Fire Commissioner'ship. Mr. Whitney was formerly a Deputy Fire Commissioner and has a good working knowledge of the department. He made himself popular with the men when he was an official in the department.

Leader John A. McGoey of the Kings County Democratic organization is pressing Deputy Arthur O'Keefe for the full-blooded Commissioner'ship. Mayor Gaynor committed himself to O'Keefe's supporters to-day to the extent of telling them that Deputy O'Keefe is a "good man and an excellent official."

LEAVES HOSPITAL FOR JAIL.

Mrs. O'Shaughnessy, Who Shot Husband, Is in Jail.

Mrs. Frances O'Shaughnessy, who shot and killed her husband several weeks ago and who has been ill in the female prison ward at Bellevue Hospital, was discharged from the hospital as cured this afternoon.

She was taken back to the Tombs and placed in a cell in the women's prison, to await trial.

At the Building Turkish Baths always open from 10 o'clock to 11 o'clock. 65 Park Row.

BUFFALO BILL'S SHOW IN WRECK; THREE BADLY HURT

29-Car Train Runs Off Switch, One Car Turning Turtle, Near Lowell.

(Special to The Evening World.)

LOWELL, Mass., May 24.—Three employees of the Buffalo Bill Wild West company were badly injured and considerable damage was done to rolling stock when the rear portion of the special train of twenty-nine cars left the rails early to-day at Brookfield. Men who had charge of the animals had narrow escapes. Two burros were killed.

The injured are: Shaffer Leeper of Lewiston, Pa., injury to legs and internal injuries; Thomas E. Furr, Philadelphia, dislocated shoulder; William J. Wood, Meriden, Conn., fractured knee cap.

The accident, it is believed, was caused by an extending shoe on the special train striking the switch bar. It was two miles to the nearest telegraph station, but Col. Cody, who was in his special car on the long train, sent a message to Boston and Lowell for aid to the injured.

The show trains were coming from Pittsburgh to this city. The second section, consisting of twenty-eight passenger and animal cars and carrying 80 persons and a lot of animals, had reached the Brookfield station, and was crossing a switch to a siding.

As the train passed over the siding a truck was ripped off. The car next to it, which lost its truck took the switch at right angles, one truck going on the main line and the rear to the siding. The car in the rear of this was derailed and rolled on its side. The fourth car was also badly smashed up when it jumped the track.

DIAZ WILL RESIGN.

PRESIDENCY TO-MORROW.

Vice-President Corral Will Also Send His Resignation to Mexican Deputies.

MEXICO CITY, May 24.—It is officially announced that President Diaz and Vice-President Corral will not resign to-day. Their resignations will be tendered to the House of Deputies to-morrow.

GOV. WILSON'S PAY STOPPED.

Acting Governor, Who Is a Millionaire, Gets It While He Is Travelling.

TRENTON, N. J., May 24.—Gov. Woodrow Wilson's tour of the country is costing him something. Not only is he paying his railroad fares and travelling expenses while he is out enlightening the wild and woolly West on the referendum and re-call and other matters of importance but he has had his pay docked.

The Governor has been absent from the State about a month. He will have been absent more than a month when he gets back. For every day of his absence his pay will be deducted. The money will go to the Acting Governor, who is a millionaire.

IVERNIA, IN DENSE FOG, STRIKES DAUNT'S ROCK; THREE HOLDS FLOODED

Her 775 Passengers at Luncheon When Accident Happened, but There Was Little Panic Among Them.

MADE WAY TO QUEENSTOWN WHERE SHE IS AT ANCHOR.

She Has a Bad List and 25 Feet of Water in Her Fore-Compartment—Nobody Injured.

QUEENSTOWN, May 24.—The big Cunard liner Ivernia, bound for this port and Liverpool, with 775 passengers from Boston, which port she left on May 16, struck Daunt's Rock at noon to-day and narrowly escaped sinking.

A big hole was torn in her forward bow and her forward compartments were flooded. With her head low in the water and her stern so far out that the propellers barely touched the surface of the sea the crippled ship made her way into the inner harbor of this port and anchored in Kinloch Channel.

SCORES TO-DAY NATIONAL LEAGUE.

AT NEW YORK.
CINCINNATI—100
GIANTS—110

Batteries—Gasper and Elmer; Marquard and Meyers.

AT BROOKLYN.
PITTSBURG—0000
BROOKLYN—0000

Batteries—White and Gibson; Schardt and Miller.

AT PHILADELPHIA.
ST. LOUIS—04000
PHILADELPHIA—001000

Batteries—Golden and Brackman; Moore and Dooten.

AT BOSTON.
CHICAGO—00000
BOSTON—000001

Batteries—McIntyre and Fether; Mott and Harnden.

WOLTER'S HOMER LEADS WHITE SOX

(Special to The Evening World.)
CHICAGO, Ill., May 24.—The White Sox and the Highlanders clashed again this afternoon at Comiskey Park under favorable conditions. The two teams took up the battle where they left off last night at the end of the twelve innings and fought just as hard to decide the second contest of the series as they did the first.

In the first inning fouled to Payne, Wolter smashed a home run to center field. Martzell walked. Free grounded to Collins unassisted. Hartzell going to second. Knight fled to McIntyre. One run.

Daunt's Rock is the first land sighted by eastward bound transatlantic liners. Knowing that he was close to it, Capt. Potter of the Ivernia had his vessel barely making steering way in the fog when suddenly the obstruction loomed up ahead.

An effort was made to swing aside and the engine room was signalled to reverse. It was too late. The big vessel crashed against the rock with terrific impact.

Passengers at Luncheon. At the time of the collision the passengers were at luncheon. They were taken to the decks to be met by officers, who assured them there was no immediate danger. Capt. Potter, after an examination, decided that the forward bulkheads would hold the water in the compartments to which it had gained entrance and started carefully for Queenstown. There was very little panic on the Ivernia.

At the moment of the collision the tide was rising and within a mile the tender was waiting to take off the Ivernia's passengers bound for Queenstown. The liner, fortunately, slid off the rock into deep water a moment after the collision and the tender, hearing signals of distress, was soon alongside.

Nothing was known in Queenstown of the accident until the Ivernia, conveyed by the tender, was seen passing Roche's Point at the head of Cork Harbor. It was plain that she had met with a disastrous experience, as her bows were almost submerged and she had a dangerous list to port.

Beached in Shallow Water. The Ivernia proceeded very slowly but it was evident that every effort was being made to get inside Queenstown Harbor. The intention of her commander, Capt. Thomas Potter, being apparently to reach the shallow part of Kinloch and save her from sinking by beaching her.

The vessel is now resting at anchor close to the eastern bank of Kinloch Channel. In the inner harbor, Fremont reports were to the effect that she had been beached, but these later turned out to be erroneous.

As soon as she reached Queenstown her distress brought out a small squadron of tenders and they are now standing along with her ready at a moment's notice to take the passengers off.

The great hole in the fore part of the liner and the narrow margin of freeboard above the water sufficiently indicated what a narrow escape the Cunard steamer had had from disaster. The water-tight compartments, however, stood the strain well, although water